

UNITED STATES DISTRICT COURT

for the
Southern District of Ohio

FILED
RICHARD W. NAGEL
CLERK OF COURT
2018 NOV 28 AM 9:20

In the Matter of the ~~Search of~~
(Briefly describe the property to be searched
or identify the person by name and address)

Case No.

1:18MJ-716

Use of a Cell-Site Simulator to Identify Additional Cellular
Telephone Devices Used by Derrick Bryant

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachment A

located in the Southern District of Ohio, there is now concealed (identify the person or describe the property to be seized):

See Attachment B

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
☐ contraband, fruits of crime, or other items illegally possessed;
☐ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section

21 U.S.C. §§ 846, 841(a)(1)

Offense Description

Narcotics Conspiracy.

The application is based on these facts:

See Attached.

- ☐ Continued on the attached sheet.
☒ Delayed notice of 30 days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.


Applicant's signature
David A. Zummach, Special Agent, DEA
Printed name and title

Sworn to before me and signed in my presence.

Date: 11/28/18

City and state: Cincinnati, Ohio


Judge's signature
Hon. Stephanie K. Bowman, U.S. Magistrate Judge
Printed name and title

AO 106 Attachment

See Affidavit in Support of an Application for a Search Warrant. To ensure technical compliance with the Pen Register Statute, 18 U.S.C. §§ 3121-3127, this warrant also functions as a pen register order. Consistent with the requirement for an application for a pen register order, I certify that the information likely to be obtained is relevant to an ongoing criminal investigation being conducted by the Drug Enforcement Administration. *See* 18 U.S.C. §§ 3122(b), 3123(b).

I declare under penalty of perjury that the foregoing is true and correct.

11/27/2018
DATE

s/Karl P. Kadon
Karl P. Kadon (0009324)
Assistant United States Attorney

ATTACHMENT A

This warrant authorizes the use of the electronic investigative technique described in Attachment B to identify the location and identification of target cellular devices used by Derrick BRYANT.

This technique may be used at the following locations: 2545 Hackberry Street, Cincinnati Ohio 45231, 11922 Hamilton Ave., Cincinnati, Ohio, 45231, 9812 Beech Drive, Cincinnati, Ohio, 45231; and any other locations where officers have reason to believe that Derrick BRYANT is present pursuant to active pen register information.

ATTACHMENT B

Pursuant to an investigation of Derrick BRYANT for a violation of 21 United States Code, Sections 841(a)(1) and 846, this Warrant authorizes the officers to whom it is directed to determine the location and identification of the target cellular devices identified in Attachment A by collecting and examining:

1. radio signals emitted by the target cellular device for the purpose of communicating with cellular infrastructure, including towers that route and connect individual communications; and
2. radio signals emitted by the target cellular device in response to radio signals sent to the cellular device by the officers;

for a period of thirty days, during all times of day and night.

Absent further order of a court, law enforcement will make no affirmative investigative use of any identifiers collected from cellular devices other than the Target Cellular Device, except to identify the Target Cellular Device and distinguish it from the other cellular devices. Once investigators ascertain the identity of the Target Cellular Device, they will end the collection, and any information collected concerning cellular devices other than the Target Cellular Device will be deleted.

This warrant does not authorize the interception of any telephone calls, text messages, other electronic communications, and this warrant prohibits the seizure of any tangible property. The Court finds reasonable necessity for the use of the technique authorized above. *See* 18 U.S.C. § 3103a(b)(2).